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12 **UNITED STATES DISTRICT COURT**
13 **SOUTHERN DISTRICT OF CALIFORNIA**

14 JEFFREY A. NEEDELMAN,
15 Plaintiff,

16 vs.

17 PENNSYLVANIA HIGHER
18 EDUCATION ASSISTANCE
19 AUTHORITY dba AMERICAN
20 EDUCATION SERVICES, KEY
21 BANK, N.A.; & EDUCATION
22 CREDIT MANAGEMENT
23 SERVICES,

24 Defendants.

Case No. 08 CV 0442 L RBB

Honorable M. James Lorenz

**REQUEST FOR JUDICIAL NOTICE
IN SUPPORT OF DEFENDANT
PENNSYLVANIA HIGHER
EDUCATION ASSISTANCE
AGENCY'S MOTION TO DISMISS**

[Notice of Motion and Motion to Dismiss;
Memorandum of Points and Authorities in
Support Thereof; and [Proposed] Order
filed concurrently herewith]

Date: June 30, 2008

Time: 10:30 a.m.

Place: Crtrm 14

Pursuant to Federal Rule of Evidence 201, Defendant Pennsylvania Higher Education Assistance Agency ("PHEAA")¹ requests that the Court take judicial notice of the following documents in support of PHEAA's Motion to Dismiss:

1. The Voluntary Petition for Chapter 13 Bankruptcy in the United States District Court – Southern District of California Case No. 01-12461-H13 filed by Plaintiff Jeffrey Needelman ("Plaintiff") on or about December 6, 2001;

2. The Chapter 13 Plan filed in the United States District Court – Southern District of California Case No. 01-12461-H13 by Plaintiff on or about December 6, 2001;

3. The Order and Notice for Meeting of Creditors To Be Held on Jan. 17, 2002 at 3:00 p.m filed in the United States District Court – Southern District of California Case No. 01-12461-H13 on or about December 12, 2001;

4. The Order Confirming Debtor(s) Plan and Allowing Attorneys Fees filed in the United States District Court – Southern District of California Case No. 01-12461-H13 on or about January 24, 2002; and

5. The Discharge of Debtor Order filed in the United States District Court – Southern District of California Case No. 01-12461-H13 on or about May 29, 2007.

DATED: April 21, 2008

PEPPER HAMILTON LLP

By: /s/

Michael L. Meeks

Carol A. Dwyer

Attorneys for Defendant Pennsylvania
Higher Education Assistance Agency

¹ Pennsylvania Higher Education Assistance Agency was erroneously sued as Pennsylvania Higher Education Assistance Authority.